



## Legislation Text

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**File #: 041405, Version: 2**

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041405

SUBSTITUTE 2

010651, 020228, 981662, 041348, 041466, 040007

THE CHAIR

Substitute resolution authorizing and directing the Commissioner of Public Works to proceed with construction of the Canal Street Extension project/Hank Aaron State Trail (25th to Miller Park segment) and authorizing and directing the City Comptroller to create the corresponding accounts.

This substitute resolution authorizes and directs the Commissioner of Public Works to execute a project agreement with the Wisconsin Department of Transportation for the construction of the West Canal Street extension between North 25<sup>th</sup> Street and Miller Park with Federal and State Aid and authorizing the Commissioner of Public Works to proceed with construction and construction management of the Canal Street Extension project and the Hank Aaron State Trail (25th to Miller Park segment). Furthermore, Resolutions 041348 and 041466 approved levying of assessments associated with the project and this resolution authorizes and directs the City Comptroller to create the corresponding accounts.

Whereas, The Department of Public Works (DPW) is currently undertaking preliminary/final engineering for the construction of the West Canal Street Extension between North 25<sup>th</sup> Street and Miller Park with State Aid as authorized by Common Council Resolution 020228; and

Whereas, Wisconsin Department of Transportation (WISDOT) has provided a Project Grant Agreement that allows for Federal and State cost participation in the construction of the West Canal Street Extension between North 25th Street and Miller Park to the City for execution; and

Whereas, The Project Grant Agreement stipulates that \$5 million in Federal funding is contingent upon the project being open to traffic by April 1, 2006 to allow the project to serve as a traffic mitigation route during the Marquette Interchange reconstruction project and that, in the event the project is not open to traffic by April 1, 2006, the Project Agreement stipulates that the State may withhold \$5 million in future State funds that may be otherwise due to the City; and

Whereas, Common Council Resolution 981662 authorized and directed the Commissioner of Public Works to execute the "State/Sponsor Agreement for Congestion Mitigation and Air Quality (CMAQ) Improvement Project" with the Wisconsin Department of Transportation for the programming and construction of the Hank Aaron State Trail through the Menomonee Valley;

and

Whereas, The construction of the Hank Aaron State Trail between North 6th Street and Miller Park will be accomplished in conjunction with construction of West Canal Street between North 25th Street and Miller Park; and

Whereas, Common Council Resolution 040007 authorized and directed the proper City officials to execute a Memorandum of Understanding with the Milwaukee Metropolitan Sewerage District for the funding, construction, maintenance and operation of a bioretention stormwater treatment facility located at N. 25<sup>th</sup> Street / Canal Street to be constructed in conjunction with the Canal Street Reconstruction project and directed the City Comptroller to set up accounts for the grantor share associated with construction of the bioretention facility; and

Whereas, DPW has requested that Redevelopment Authority of the City of Milwaukee (RACM) provide a 28 foot reservation within the Milwaukee Roads Shops Redevelopment area along Canal Street to accommodate a future fixed guideway transit alignment; and

Whereas, The Common Council of the City of Milwaukee adopted preliminary Resolution 010651, determining it necessary and in the public interest to construct and levy special assessments for the Canal Street Extension project; and

Whereas, Notices have been sent to all interested persons and public hearings held with projects approved by Resolutions 041348 and 041466; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed to execute the Project Grant Agreement with the WISDOT for the construction of West Canal Street between North 25<sup>th</sup> Street and Miller Park with Federal/State aid, a draft copy of which is attached to Common Council File Number 041405, and is incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That minor changes to the draft Project Grant Agreement which do not change the intent of the Agreement are hereby approved; and, be it

Further Resolved, That the Commissioner of Public Works is authorized and directed to let contracts for construction related work associated with this project; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized and directed to enter into an agreement with the WISDOT, if

necessary, pertaining to the cost participation for the installation and/or modification of traffic control facilities and street lighting facilities with City forces in conjunction with the improvement of the aforementioned project; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized and directed to install the traffic control and street lighting facilities necessary with City forces in conjunction with the aforementioned project; and, be it

Further Resolved, That Department of Public Works funding allocated to the Canal Street Reconstruction/Extension project will be used for the local share as required for the Hank Aaron State Trail CMAQ grant; and, be it

Further Resolved, That Department of Public Works funding allocated to the Canal Street Reconstruction/Extension project will be used for the local share as required under the Memorandum of Understanding with the Milwaukee Metropolitan Sewerage District for the construction of the bioretention stormwater treatment facility; and, be it

Further Resolved, That the Commissioner of Public Works' Report, as amended at Public Hearing is approved under Resolutions 041348 and 041466, and the properties therein identified are benefited; and, be it

Further Resolved, That said Commissioner of Public Works is authorized and directed to proceed with said work in accordance with said report pursuant to Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That the proper departments take such action as is required of them to assess the abutting or adjacent properties and collect such assessment in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That the projects do not involve any parcels of agricultural land which are eligible for deferred special assessments under the provisions of Section 14.30 of the Milwaukee City Charter; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the Capital Improvement Fund, Grant and Aid Projects, the necessary Project/Grant Chartfield Values for construction of the Canal Street Extension between North 25<sup>th</sup> Street and Miller Park (Expenditure and transfer to any of these accounts the amount required under the grant agreement and City Accounting Policy but not to exceed a 10 percent increase of the total amounts reserved for the grantor's share and local share, or \$5,000, whichever is greater), as follows:

Infrastructure Services Division Accounts  
West Canal Street Extension/Hank Aaron State Trail  
North 25<sup>th</sup> Street to Miller Park

Canal (I.D. 2984-25-74)  
Streets  
City Share  
Fund No. 0330  
Project Grant No. ST320050000  
Assessable  
\$560,000

Canal  
Streets  
City Share  
Fund No. 0333  
Project Grant No. ST320050000  
Non-Assessable  
\$2,807,000

Canal  
Streets  
City Share  
Fund No. 0333  
Project Grant No. ST211050000  
Non-Assessable  
\$2,010,000

Canal  
Bridges  
City Share  
Fund 0303  
Project Grant No. BR100050000  
\$3,300,000

Canal  
Streets  
Grantor Share  
Fund No. 0306  
Project Grant No. SP032050100  
\$3,000,000

Canal  
Bridges  
Grantor Share  
Fund No. 0306  
Project Grant No. SP032050100

\$3,402,000

Hank Aaron State Trail (I.D. 2984-09-09/29/79)

Streets

City Share

Fund No. 0333

Project Grant ST320050000

\$113,000

Hank Aaron State Trail

Streets

Grantor Share

Fund No. 0306

Project Grant No. SP032050100

\$453,600

Estimated Cost Total

\$15,645,600

; and, be it

Further Resolved, That the City Engineer is hereby authorized and directed to approve and make periodic payments to the WISDOT upon receipt of invoices for the local share of costs of the project.

Department of Public Works

Infrastructure Services Division

JJM:dle

March 1, 2005

041405